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April 21, 2014

**VIA E-MAIL TRANSMISSION
AND ECF FILING**

The Honorable Robert E. Gerber
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

**Re: In re Motors Liquidation Company, *et al.*
Case No. 09-50026 (REG)**

**New GM'S Request for Conference in
Connection with Its Motion to Enforce Sale
Order Against Plaintiffs in Ignition Switch Actions**

Dear Judge Gerber:

King & Spalding LLP is co-counsel to General Motors LLC ("**New GM**") in the above-referenced matter. As Your Honor may be aware, numerous lawsuits ("**Ignition Switch Actions**") have been filed across the Country against New GM in connection with New GM's recent recall of vehicles manufactured and sold by Old GM, that may have a defective ignition switch. New GM believes that the Ignition Switch Actions assert claims against New GM that are "Retained Liabilities" of Old GM and therefore, violate Your Honor's July 5, 2009 Order and the injunction granted therein ("**Sale Order and Injunction**").

Today, New GM filed a motion with the Bankruptcy Court ("**Motion to Enforce**") seeking an order enforcing the Sale Order and Injunction by directing the plaintiffs (collectively, the "**Plaintiffs**") in the Ignition Switch Actions (a) to cease and desist from further prosecuting against New GM the claims in the Ignition Switch Actions that are already barred and enjoined by the Sale Order and Injunction, (b) to dismiss, with prejudice, those claims that are void because they were brought by the Plaintiffs in violation of the Sale Order and Injunction, and

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(c) to show cause as to whether they have any claims not otherwise already barred and enjoined by the Sale Order and Injunction.

Typically, motions to enforce an existing injunction contained in an order of the bankruptcy court are only against a limited number of defendants. *See, e.g. In re Ritchie Risk-Linked Strategies Trading (Ireland), Ltd.*, 471 B.R. 331, 337 (Bankr. S.D.N.Y. 2012) (“As a threshold matter, contrary to Bancorp’s [the only respondent] argument, the Motion need not have been brought as an adversary proceeding since U.S. Bank seeks only the enforcement of an injunction already in effect under this Court’s existing Sale Order, not the issuance of a new injunction.”); *In re WorldCorp., Inc.*, 252 B.R. 890, 895 (Bankr. D. Del 2000) (“an adversary proceeding is not necessary where the relief sought [against only one respondent] is the enforcement of an order previously obtained.”). In contrast, in this situation, there are currently over 50 Ignition Switch Actions pending across the country (with new Actions filed each week), and the Plaintiffs in the Ignition Switch Actions are not, for the most part, represented by the same counsel.¹ Given the number of pending Ignition Switch Actions and the number of parties that will be involved in the hearing on the Motion to Enforce, New GM requests that the Court schedule a conference to discuss the logistics surrounding the Motion to Enforce, including an appropriate briefing schedule and a date and time for the hearing thereon. New GM believes that a status or pre-hearing conference would be beneficial to all of the parties and the Court, and would streamline the proceedings.² A proposed form of notice is attached hereto, which will set forth the date and time of the conference regarding the Motion to Enforce (“Conference Notice”).

New GM will serve upon all counsel in the Ignition Switch Actions, counsel for the Motors Liquidation Company General Unsecured Creditors Trust, and the Office of the United States Trustee the following: (a) by e-mail transmission, where available, on April 21 or 22, 2014 (i) a copy of this letter and form Conference Notice, and (ii) the Motion to Enforce, and the Schedules attached thereto; and (b) by overnight delivery on April 22, 2014 (i) a copy of this Letter and form Conference Notice, and (ii) the Motion to Enforce, the Schedules, and all Exhibits thereto (contained on a Compact Disk). New GM will also file this letter, Motion to Enforce, Schedules and all Exhibits on the Bankruptcy Court docket, and deliver a hard copy to Chambers.

Of course, if Your Honor believes a different procedure is appropriate, we are prepared to follow Your Honor’s directive.

Respectfully submitted,

/s/ Arthur Steinberg
Arthur Steinberg

¹ There are pending motions to consolidate these actions as a Multidistrict Litigation (“MDL”) for pre-trial purposes, and a hearing thereon is scheduled to be held in Chicago, Illinois by the MDL Panel on May 29, 2014.

² This request is made pursuant to and in accordance with Your Honor’s Chambers’ rules governing requests for conferences.

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cc: Richard C. Godfrey, P.C. (co-counsel for New GM)

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Counsel for General Motors LLC

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re:	:
	:
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	:
f/k/a General Motors Corp., <i>et al.</i>	:
	:
Debtors.	:
-----X	

Chapter 11
Case No.: 09-50026 (REG)
(Jointly Administered)

**NOTICE OF (A) FILING OF MOTION OF GENERAL MOTORS LLC
PURSUANT TO 11 U.S.C. §§ 105 AND 363 TO ENFORCE THE
COURT'S JULY 5, 2009 SALE ORDER AND INJUNCTION, AND
(B) CONFERENCE TO BE HELD IN CONNECTION WITH SUCH MOTION**

PLEASE TAKE NOTICE that on April 21, 2014, General Motors LLC ("**New GM**") filed (i) the *Motion of General Motors LLC Pursuant to 11 U.S.C. §§ 105 and 363 to Enforce the Court's July 5, 2009 Sale Order and Injunction* ("**Motion to Enforce**"), and (ii) the Compendium of Exhibits to the Motion to Enforce, with the United States Bankruptcy Court for the Southern District of New York ("**Bankruptcy Court**").

PLEASE TAKE FURTHER NOTICE that a briefing schedule and hearing date has not yet been established for the Motion to Enforce. Instead, the Bankruptcy Court has scheduled a conference to discuss the logistics of the Motion to Enforce, including, among other things, establishing an appropriate briefing schedule and fixing a date and time for the hearing on the Motion to Enforce. The conference will take place before the Honorable Robert E. Gerber, United States Bankruptcy Judge, in Room 621 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on _____, 2014 at 9:45 a.m.

Dated: New York, New York
April __, 2014

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